



PATENT Attorney Docket No. LEX-023

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Gillies et al.

SERIAL NO.:

10/737,208

GROUP NO.:

1647

FILING DATE:

December 16, 2003

EXAMINER:

Galvez, James Jason

TITLE:

Immunocytokine Sequences And Uses Thereof

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the non-U.S. patent documents and non-patent publications are enclosed.

#### REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1)	within three (3) months of the <b>filing date</b> of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the <b>date of entry of the national stage</b> as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the <b>first Office action</b> on the merits, or before the mailing of a <b>first Office action</b> after the filing of a request for continued examination under 37 C.F.R. 1.114; or
(2)	after the period defined in (1) above but before the mailing date of any of a <b>final</b> action under 37 C.F.R. 1.113, a <b>notice of allowance</b> under 37 C.F.R. 1.311, or an action that otherwise closes prosecution in the application, and
	the requisite Statement is below, <b>OR</b>
	the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein; or
(3)	after the period defined in (2) above but before the payment of the issue fee, AND

	No. 10/737,20	ation Disclosure Statement 8
		the requisite Statement is below, AND
		the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.
]	It is respect	fully requested that each of the patents and publications listed on the attached Form

Applicants believe that no petition or fee is required for entry and consideration of this paper. If any

PTO-1449, and other information contained herein, be made of record in this application.

petition or fee is required, please consider this a conditional petition for any required extension of time, and a conditional authorization to charge any required fee to Deposit Account No. 50-1721.

Date: May 11, 2005 Reg. No. 51,551

Tel. No.: (617) 261-3198 Fax No.: (617) 261-3175 Fangli Chen

Respectfully submitted,

Atty/Agent for Applicant(s)
Kirkpatrick & Lockhart Nicholson

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Boston, Massachusetts 02109-1808

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### CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 11st day of May, 2005.

Fangli Chen

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

#### Submitted herewith is/are:

- 1. Transmittal Form (1 pg.);
- 2. Supplemental Information Disclosure Statement (2 pgs.);
- 3. PTO Form 1449 (12 pgs.);
- 4. Cited references B108-B119 and C262-C428); and
- 5. Return Receipt Postcard.

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# TRANSMITTAL FORM

Application Serial Number	10/737,208		
Filing Date	December 16, 2003		
First Named Inventor	Gillies		
Group Art Unit	1647		
Examiner Name	Galvez, James Jason		
Attorney Docket No.	LEX-023		
Patent No.	Not applicable		
Issue Date	Not applicable		

	ENCLOSURES (check all that apply)								
☐ Fe	ee Transmittal Form		Copy of Notice Parts of Applic	to File Missing		Notice of Appeal to Board of Patent Appeals and Interferences			
•	☐ Check Attached ☐ Copy of Fee Transmittal Form		Formal Drawin	ng(s)		Appeal Brief (in triplicate)			
	Amendment/Response		Request For Co Examination (I			Status Inquiry			
	☐ Preliminary ☐ After Final		Transmittal		⋈	Return Receipt Postcard			
	☐ Affidavits/declaration(s) ☐ Letter to Official ☐ Draftsperson		Power of Attor (Revocation of		⊠	Certificate of First Class Mailing under 37 C.F.R. 1.8			
	including Drawings [Total Sheets]		Terminal Discl	aimer		Certificate of Facsimile Transmission under 37 C.F.R. 1.8			
	Petition for Extension of Time			aration and Power Utility or Design		Additional Enclosure(s) (please identify below)			
⊠	Information Disclosure Statement  Form PTO-1449		Small Entity S						
☐ Copies of IDS Citations (B108-B119 and C262-C428)			CD(s) for large program	table or computer					
Certified Copy of Priority Document(s)			Amendment After Allowance						
Sequence Listing submission Paper Copy/CD Computer Readable Copy Statement verifying identity of above  Correction Correction duplicate)			☐ Certificate	of Correction (in					
CORR	RESPONDENCE ADDRESS			SIGNATURE BL	OCK				
Direct	Direct all correspondence to: Patent Administrator								

Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Nicholson Graham LLP 75 State Street Boston, MA 02109-1808 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175

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SUPPLEMENTAL INFORMATION DISCLOSURE TATEMENT

ATTORNEY DOCKET NO.: LEX-023

APPLICANT(S): Gillies et al.

SERIAL NO.: 10/737,208

CONF. NO.: 6855

FILING DATE: December 16, 2003 GROUP: 1647

#### U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUME NT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A114	4,522,811	6/1/85	Eppstein et al.			
	A115	4,667,016	5/19/87	Lai et al.			
	A116	4,732,683	3/22/88	Georgiades et al.			
	A117	4,737,462	4/12/88	Mark et al.			
	A118	4,975,369	12/4/90	Beavers et al.			
	A119	5,082,658	1/21/92	Palladino			
	A120	5,091,513	2/25/92	Huston et al.			
	A121	5,399,346	3/21/95	Anderson et al.			
	A122	5,428,130	6/27/95	Capon et al.			
	A123	5,480,981	1/2/96	Goodwin et al.			1
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	A125	5,614,184	3/25/97	Sytkowski et al.			
	A126	5,712,120	1/27/98	Rodriguez et al.			
	A127	5,738,852	4/14/98	Robinson et al.			
	A128	5,795,779	8/18/98	McCormick			-
	A129	5,827,703	10/27/98	Debs et al.			
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EXAMINER	DATE CONSIDERED

**FORM PTO - 1449** 

SUPPLEMENTAL INFORMATION DISCLOSURE

STATEMENT

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#### FOREIGN PATENT DOCUMENTS

			1010	EIGN PATEN	DOCOM				
EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTR Y CODE	CLASS	SUB CLAS S	FILING DATE	ABSTRAC T ONLY	ENGLISH LANG (Y/N)
	B108	0 428 267 B1	12/11/96	EP					Y
	B109	0 428 596 B1	4/17/96	EP				,	Y
	B110	0 433 827 B1	3/4/98	EP			·		Y
	B111	0 519 596 A1	12/23/92	EP					Y
	B112	0 668 351 B1	9/22/99	EP					Y
_	B113	0 699 755 A2	3/6/96	EP					Y
	B114	2 188 638	10/7/87	GB					Y
	B115	WO 92/10755	6/25/92	PCT					Y
	B116	WO 94/25609	11/10/94	PCT					Y
	B117	WO 96/40792	12/19/96	PCT					Y
	B118	WO 00/01822	1/13/00	PCT					Y
	B119	WO 02/074783	9/26/02	PCT		-			Y

FORM F	TO - 1449		ATTORNEY DOCKET NO.: LEX-023		
SUPPLE	MENTAL I	NFORMATION DISCLOSURE	APPLICANT(S): Gillies et al.		
STATEN	MENT		SERIAL NO.: 10/737,208 CONF. NO.: 6855		
			FILING DATE: December 16, 2003 GROUP: 1647		
EXAM. INIT.	OTHER I	OCUMENTS: (Including Author, Tit	le, Date, Relevant Pages, Place of Publication)		
	C262	Aichele et al., (1994), "Peptide-Induce Transgenic Mouse Model," Proc. Natl.	d T-Cell Tolerance to Prevent Autoimmune Diabetes in a <u>Acad. Sci. USA</u> , 91:444-448.		
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EXAMINER	DATE CONSIDERED

		NFORMATION DISCLOSURE	ATTORNEY DOCKET NO.: LEX-023  APPLICANT(S): Gillies et al.			
			SERIAL NO.: 10/737,208 CONF. NO.: 6855  FILING DATE: December 16, 2003 GROUP: 1647			
EXAM. INIT.	OTHER I	OCCUMENTS: (Including Author, Tit	le, Date, Relevant Pages, Place of Publication)			
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1	EXAMINER	DATE CONSIDERED

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FORM PTO - 1449			ATTORNEY DOCKET NO.: LEX-023	
SUPPLEMENTAL INFORMATION DISCLOSURE			APPLICANT(S): Gillies et al.	
STATEMENT			SERIAL NO.: 10/737,208 CONF. NO.: 6855	
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EXAM. INIT.	OTHER I	OCCUMENTS: (Including Author, Tit	de, Date, Relevant Pages, Place of Publication)	
	C296		ins, New Erythroid Cell Stimulate Factors Extracted From Human 54, "Proceedings 7th Intl. Congress of Endocrinology," Quebec	
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	C310	Donnelly et al., (1997), "DNA Vaccino	es," <u>Annu. Rev. Immunol.</u> , 15:617-48.	
	C311	Dube et al., (1988), "Glycosylation at Secretion, and Biological Function," J.	Specific Sites of Erythropoietin is Essential for Biosynthesis, Biol. Chem., 263:17516-21.	
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FORM F	FORM PTO - 1449		ATTORNEY DOCKET NO.: LEX-023
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EXAM. INIT.	OTHER I	DOCUMENTS: (Including Author, Tit	tle, Date, Relevant Pages, Place of Publication)
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	C314	Farner et al., (1995), "Distinction Betw	ween $\gamma_c$ C Detection and Function in YT Lymphoid Cells and in the nulating Factor-Responsive Human Myeloid Cell Line, Tf-1,"
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FORM PTO – 1449 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			ATTORNEY DOCKET NO.: LEX-023 APPLICANT(S): Gillies et al.
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